IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2371 OF 2007
WITH
CIVIL APPLICATION NO.2372 OF 2007
IN
FIRST APPEAL (ST.) NO.25654 OF 2006

Maharashtra State Road Transport Corporation, Bombay ...Applicant
V/s.
Surekha Umesh Poojari & Ors. ...Respondents

Mr.C.M. Lokesh, Advocate, h/f. G.S. Hegde & Associates, for the Applicant.
Mr.M.G. Bore, Advocate, for the Respondents.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.
DATE : 10TH JULY, 2007.

P.C. :

1. Heard.

2. As regards Civil Application No.2372 of 2007 is concerned, the reasons for delay are primarily of the usual nature and surprisingly the amount awarded by way of compensation was on higher side. It was large sum of money. Provision for payment of Court fees was required to be made cannot be accepted on its face value as good and sufficient reason but in order to give fair opportunity to the applicant, we are condoning the delay subject to payment of costs of Rs.2,000/- to be paid to the Respondent or deposited in this Court within a period of four weeks from today.

3. We make it clear that if the amount is not

deposited within the stipulated period, the Civil Application to stand rejected without any further reference to the Court.

4. Heard on stay. On depositing the amount of compensation in terms of the award within four weeks, there will be stay of execution.

5. As regards Civil Application No.2372 of 2007 is concerned, there will be stay on execution of the award on the applicant depositing the amount of compensation awarded by the Tribunal within a period of eight weeks with interest till the amount is deposited.

6. On the amount being so deposited, the respondents-claimants will be entitled to withdraw the amount alongwith interst on the amount in terms of the order of disbursement in the award passed by the Motor Accident Claims Tribunal on furnishing surety.

7. Both the Civil Applications stand disposed of in the aforesaid terms.

8. By consent, the Appeal is taken up for admission.

9. Heard. Admit.

[A.A. SAYED, J.] **[J.N. PATEL, J.]**